

AMENDMENTS TO THE DRAWINGS

Please replace the drawings originally filed with the accompanying formal drawings.

Attachment: Replacement Sheets

REMARKS

The application has been reviewed in light of the Office Action mailed on February 7, 2007. Claims 1-40 are currently pending in the application, with claims 1, 9, 15, 24, 31, 38 and 39 being in independent form. By the present Amendment, claims 15 and 17-18 have been amended. The Specification has been amended to correct the lack of disclosure regarding a computer-readable medium and a computer-usable medium. Corrected drawings are provided to replace the informal drawings. Claim 38 has been canceled. It is respectfully submitted that the claims pending in the application, namely claims 1-37 and 39-40 are fully supported by the specification, introduce no new subject matter, and are patentable over the prior art.

Objection to the Drawings

The drawings were objected to because they are informal. New corrected formal drawings were prepared and are provided on the attached Replacement Sheets. Applicant respectfully requests reconsideration and withdrawal of the objection.

Objection to the Specification

The disclosure was objected to because a computer-readable medium and a computer-usable medium are not defined in the specification. The specification has been amended to correct the lack of disclosure regarding the computer-readable medium and computer-usable medium. Applicant respectfully request reconsideration and withdrawal of the objection.

Rejection of Claims 24-40 under 35 U.S.C. § 101

Claims 24-40 stand rejected under 35 U.S.C. § 101 as not being statutory. The Specification has been amended to disclose and define the computer-readable medium and computer-usable medium. Claim 38 has been cancelled. Claims 2-8, 10-14, 16-23, 25-30, 32-37 and 40 depend directly or indirectly from independent claims 1, 9, 15, 24, 31, and 39. Applicant respectfully requests that the rejection of these claims be withdrawn and allowance of these claims is earnestly solicited.

Rejection of Claims 1-40 under 35 U.S.C. § 102(e)

Claims 1-14 and 24-40 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Hebert et al. (Oracle Spatial, User's Guide and Reference, 8.1.6. December 1999) (hereinafter "Hebert").

Hebert fails to disclose or suggest the recited “formulating a text query to retrieve data from the relational database, where a first portion of the text query specifies the data to be retrieved and a second portion of the text query specifies a format for graphing the data”.

Section 2.1 of Hebert is directed to a simple example of creating a spatial table, inserting data, creating the spatial index and performing spatial queries. Referring to page 4, “CREATE TABLE cola_markets (, mkt_id NUMBER PRIMARY KEY, name VARCHAR2 (32), shape MDSYS.SDO_GEOMETRY)” creates the table for cola markets in a given geography. “mkt_id NUMBER PRIMARY KEY” is not a text query and does not specify the data to be retrieved.

Referring to page 5, “INSERT INTO cola_markets VALUES (, 1, “cola_a”...” creates an area of interest for Cola A. The area represents a user-defined criterion of the geometry type (see pages 12-16). “INSERT INTO cola_markets VALUES (...” is not part of a text query.

Similarly the remaining INSERT statements on page 5, create user-defined areas of interest for Colas B, C, and D. These INSERT statements are not part of any text query.

Referring to page 6, the spatial index is then created for cola_markets. This is not a text query. No data is retrieved from a database.

Referring to “PERFORM SOME SPATIAL QUERIES” on page 6, the topological intersection of two geometries is returned by “SELECT SDO_GEOM.SDO_INTERSECTION (c_a.shape...” from the cola_markets table, a spatial relationship is determined, the areas of all cola markets are returned and the distance between geometries is returned. The query does not specify a format for graphing the data.

Accordingly, claims 1, 9, 15, 24, 31, and 39 are believed to be patentable over Hebert. Therefore, reconsideration and withdrawal of the rejection with respect to these claims is respectfully requested and allowance of this claim is earnestly solicited.

Claims 2-8, 10-14, 16-23, 25-30, 32-37 and 40 depend directly or indirectly from independent claims 1, 9, 15, 24, 31 and 39 and are therefore patentable for at least the reasons given hereinabove.

Applicant respectfully requests that the rejection of these claims be withdrawn and allowance of these claims is earnestly solicited.

Rejection of Claims 15-23 under 35 U.S.C. § 103(a)

Claims 15-23 stand rejected under 35 U.S.C. § 102(a) as being unpatentable over Hebert in view of U.S. Patent No. 6,993,533 (hereinafter “Barnes”). Claim 15 has been amended

in a manner believed to overcome the rejection. In particular, claim 15 has been amended to incorporate “where a first portion of the text query specifies the data to be retrieved and a second portion of the text query specifies a format for graphing the data” from claim 1. Claims 17 and 18 have been amended.

Hebert and Barnes, either separately or in combination, do not disclose or suggest a “where a first portion of the text query specifies the data to be retrieved and a second portion of the text query specifies a format for graphing the data”.

Additionally, there is no suggestion in Hebert or Barnes that they be combined in the manner proposed by the Examiner. Absent such suggestion, there is no reason why one skilled in the art, who was faced with the problem confronting Applicant and who had no prior knowledge of Applicant’s claimed invention, would consult the combination of Hebert and Barnes..

Accordingly, claim 15 is believed to be patentable over Hebert in view of Barnes. Therefore, reconsideration and withdrawal of the rejection with respect to this claim is respectfully requested and allowance of this claim is earnestly solicited.

Claims 16-23 depend directly from independent claim 15 and are therefore patentable for at least the reasons given hereinabove.

Applicant respectfully requests that the rejection of these claims be withdrawn and allowance of these claims is earnestly solicited.

Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully submits that all claims now pending in this application, namely Claims 1-37 and 39-40 are now in condition for allowance. Accordingly, early and favorable consideration of this application is respectfully requested. Should the Examiner believe that a telephone or personal interview may facilitate resolution of any remaining matters, he is respectfully requested to contact Applicant’s undersigned attorney at the telephone number indicated below.

No fee is believed to be due for the submission of this amendment. If any fees are required, however, the Commissioner is authorized to charge such fees to Deposit Account No. 09-0458.

Respectfully Submitted,

/Joseph J. Petrokaitis/
Joseph J. Petrokaitis
Reg. No. 38,995
Attorney for Applicant
Phone: (845) 894-3363

International Business Machines Corporation

D/18G, B/321, Zip 482

2070 Route 52

Hopewell Junction, NY 12533

Phone: (845) 894-3363

Fax: (845) 892-6363